Docket No.: AB-105U1

REMARKS/ARGUMENTS

Applicants recognize with appreciation the Examiner's allowance of Claims 1-5. Applicants hereby cancel claims 6, 9, and 16-20 without prejudice in order to speed the prosecution of this case. Pursuant to the Examiner's suggestions, Applicants have rewritten Claims 7-8 and 10-15 to overcome the rejections under 35 U.S.C. 112, second paragraph, and to include all the limitations of their respective base claims and any intervening claims. All pending claims should be in condition for allowance.

Priority

Claims 16-20 have been cancelled in order to speed issuance of this case. The subject matter of these claims may be pursued by the Applicants in a continuing application.

Claim Rejections - 35 U.S.C. §112

Where the limitations of cancelled Claim 6 have been incorporated into Claims 7 and 10, the Applicants have deleted "RF" from "the RF coil (L1')" in response to the Examiner's rejection. Now, "the coil (L1')" as recited in Claim 7 or "the coil" as recited in Claim 10 has clear antecedent basis to "a coil (L1')" In Claim 7 or "a coil" in Claim 10, as recited in the respective preceding lines of these claims.

The Examiner rejected the use of the phrase "to receiving" as indefinite and suggested that this phrase should be changed to "to receive". Without necessarily agreeing with this rejection, Applicants have removed the phrase including the allegedly offending language ("wherein the circuit means and the coil are configured to receive data or commands via the coil concurrent to receiving power inductively;") in order to speed the prosecution of this case.

Claims 16-20 have been cancelled, thus rendering the Examiner's rejections regarding Claims 16, 19, and 20 moot.

Appl. No. 10/679,621 Amdt. dated Sep. 15, 2004 Reply to Office Action of Jun. 23, 2004

Page 7 of 8

Docket No.: AB-105U1

Claim Rejections - 35 U.S.C. 102

The Examiner rejected Claims 6, 9, and 16 as anticipated by Hagfors (U.S. Patent No. 3,796,221). Claims 6, 9, and 16 have been cancelled, rendering these rejections moot.

Other Amendments

The Applicants have included other minor amendments to the claims, including, among others, removing unnecessary reference characters for specific elements throughout Claims 10 and 12-15. Applicants have left the reference characters in Claims 1, 2, 4, 7, and 8 for the Examiner's convenience. However, it is important to note that the scope of the claims of the present invention is not limited to the specific embodiments that are described in the specification and drawings and that contain corresponding reference characters.

In view of the above, applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully Submitted.

September 15, 2004 Date

Bryant R. Gold Reg. No. 29,715

Attorney for Applicants

Please direct all written inquiries to: Bryant R. Gold Advanced Bionics Corporation 25129 Rye Canyon Road Valencia, California 91355

Please direct all telephone inquiries to:

Bryant R. Gold

Telephone: (661) 362-1771 or (760) 788-8138

Fax: (661) 362-1507

Appl. No. 10/679.621 Amdt. dated Sep. 15, 2004 Reply to Office Action of Jun. 23, 2004

Page 8 of 8